

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

STUDENTS FOR JUSTICE IN
PALESTINE AT THE UNIVERSITY OF
HOUSTON, et al.,

Plaintiffs,

V.

No. 1:24-CV-523-RP

GREG ABBOTT, *in his official capacity only as
the Governor of the State of Texas, et al.*

Defendants.

DECLARATION OF LEVI FOX

1. My name is Levi Fox, and I am over the age of 18 and fully competent in all respects to make this declaration. I have personal knowledge of the facts alleged herein because I observed these events. I am making this declaration in connection with the above-captioned cause of action.

2. I am a rising Sophomore at the University of Texas at Austin ("the University of Texas at Austin"). As a student at the University of Texas at Austin, I am active in Texas Hillel and Chabad, two Jewish campus organizations dedicated to Jewish student life and the Jewish faith practice. I am also the Vice President of the Alpha Epsilon Pi Chapter at the University of Texas at Austin, a Jewish fraternity. Additionally, I am the Director of External Partnerships at Longhorn Students for Israel.

3. After the October 7, 2023, attack on Israel, one of the worst terrorist attacks in the last fifty years, and the deadliest day for Jewish people since the Holocaust, Jewish student life at the University of Texas at Austin became complicated, resulting in a much needed response from the University of Texas at Austin officials. Disruptions and instances of violence increased in the wake of October 7, 2023, starting with vandalism and security breaches at Jewish organizations located at the University of Texas at Austin, leading up to two of the University of Texas at Austin's most disruptive and violent protests, hosted by the Palestinian Solidarity Committee ("PSC"), this past semester. PSC's events disrupted classes, including classes that I attended, which

had to close their doors in a futile attempt to mask the noise throughout lectures during one of their protests.

4. To begin, on November 9, 2023, the 85th anniversary of Kristallnacht or the “Night of Broken Glass” a day of mourning when Nazis attacked the Jewish people and their property, burning thousands of Jewish spaces including synagogues & businesses, and arrested tens of thousands of Jewish people, PSC held a pro-Palestinian event on campus where protestors shouted “from the river to the sea, Palestine will be free” and “fuck Israel.” Despite the sensitivity of this day, a day when Nazis targeted and killed Jews for their faith, PSC yelled phrases calling for the genocide of the Jewish people.

5. As a Jewish leader on campus, I could feel the tension rising between Jewish students and pro-Palestinian individuals. Specifically, early on in the spring semester, while walking down Speedway, one individual with a Keffiyeh and a watermelon pin—a popular symbol for pro-Palestinian supporters—observed me walking by them on campus and stated “oh, that’s a Jew,” signifying to me that I am now a target on campus, due to my Jewish faith and involvement with Jewish organizations.

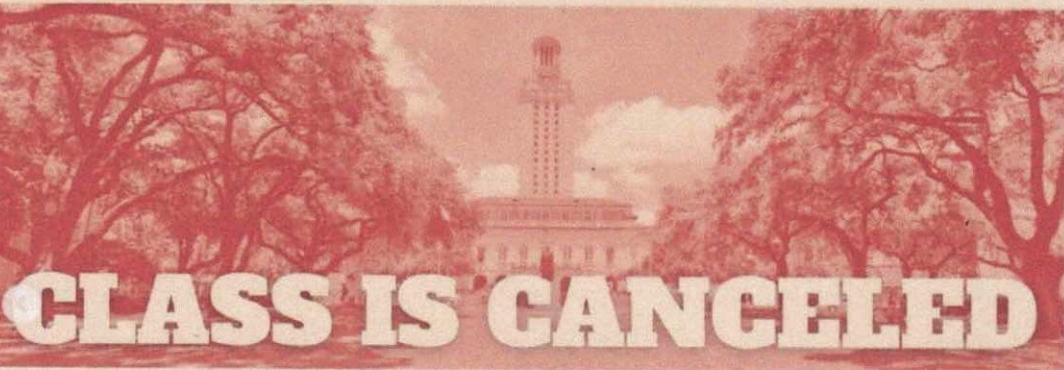
6. In April of this year, at Israel Block Party, an annual Israeli cultural event that seeks to educate students on Israeli culture, instead of attempting to have a dialogue at a booth that was set up at the Israel Block Party to host a respectful & meaningful dialogue, PSC held Israeli Apartheid Week anyway. They also continued to protest the existence of the State of Israel. Protestors beat a drum and chanted “from the River to the Sea, Palestine will be free,” and “we will honor all our martyrs” referring to the Hamas terrorists who were killed on October 7, 2023.

7. I saw university officials, law enforcement, and private security present in the area to make sure the events could take place without becoming disruptive.

8. PSC again planned to host a protest. Leading up to April 24, 2024, PSC posted a pamphlet through their social media account stating that “class is canceled,” for its “Popular University of Gaza”—an event that was held during Passover, a major holiday that celebrates the exodus of the Jewish people from slavery—concerningly, as acts of antisemitism had been increasing nationwide. I know the social media account to be PSC’s because I have seen them use it before to announce their events on campus.

Flier posted by PSC calling for a campus disruption¹

RECLAIM OUR SPACE ON WED APR 24TH



CLASS IS CANCELED

**11:40 WALK OUT OF CLASS
MEET AT GREG PLAZA
MARCH TO OCCUPY THE LAWN**

**BRING BLANKETS, FOOD,
FACE MASKS, AND ENERGY**

¹ Exhibit A.

9. On April 24, 2024, I observed the following events as accurately depicted in the below photographs:

Students began to gather on campus, forming a massive protest line that spread halfway down the University of Texas at Austin's main student walkway, Speedway.²



² Jay Janner, Mikala Compton, and Ricardo B. Brazziell, "Pro-Palestinian protest held at UT-Austin, protesters arrested. Here's what it looked like," AUSTIN AMERICAN STATESMAN (April 24, 2024), <https://www.statesman.com/picture-gallery/news/2024/04/24/ut-austin-protest-protests-arrest-pro-palestine-walk-out-photos/73441175007>.

I also observed a human chain blocking access to campus, located where students travel to and from their classes, in the heart of campus. In response to the protest, university officials blocked access to various locations, to protect students³



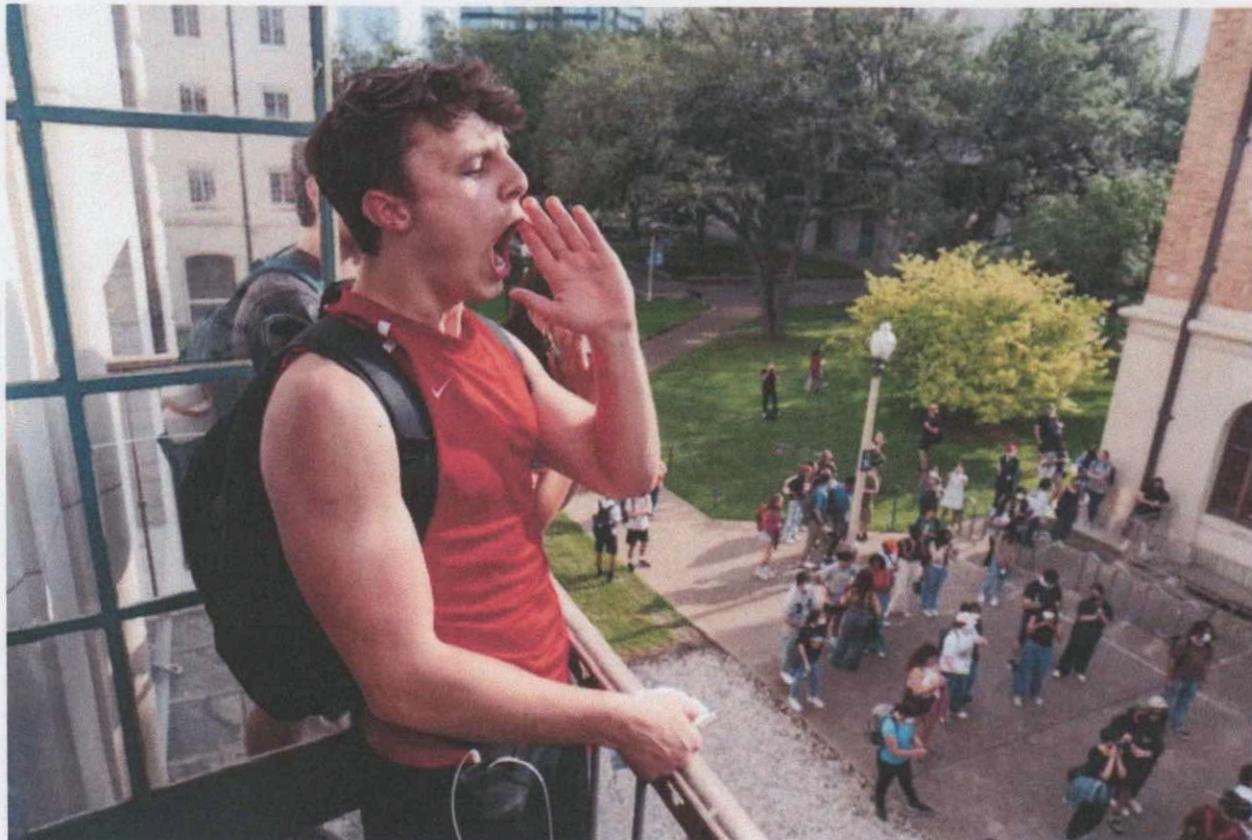
³ Sneha Dey, Ikram Mohamed, Annie Xia, and William Melhado, "Police arrest more than two dozen pro-Palestinian demonstrators on UT-Austin campus amid tense standoff" TEXAS TRIBUNE (April 24, 2024), <https://www.texastribune.org/2024/04/24/ut-austin-israel-hamas-war-palestine-student-arrests>.

At the South Mall, another main area at the center of the University of Texas at Austin, just below the University of Texas at Austin Tower, I observed encampments form in the middle of campus⁴



⁴ Jay Janner, Mikala Compton, and Ricardo B. Brazziell, "Pro-Palestinian protest held at UT-Austin, protesters arrested. Here's what it looked like," AUSTIN AMERICAN STATESMAN (April 24, 2024), <https://www.statesman.com/picture-gallery/news/2024/04/24/ut-austin-protest-protests-arrest-pro-palestine-walk-out-photos/73441175007>.

I also observed students standing on balconies of University of Texas at Austin buildings during classes, shouting⁵



⁵ *Id.*

I have no doubt that PSC planned these events and obstructed their faces to allow them to commit the most disruption possible without facing any accountability.⁶



10. Following the event, I noticed University officials sent out a form to collect student identification information to ensure that students who could not attend class due to the disruption would not be punished.

11. At this PSC event, I was told to “Go back to Germany” by protestors, referring to World War II, calling for me to return to the place where the Nazis committed a genocide of Jewish people. This made me feel unsafe as a Jewish student on campus, as PSC protests were calling for violence against Jewish people, specifically. Before being told to go back to “Go back to Germany,” I saw a protester punch a police officer in the face, who had to place gauze on his face to stop the bleeding. The university acted quickly to respond to PSC’s disruptive campus protest; I know that the university suspended PSC afterwards because of PSC’s violation of campus policies regarding the time, place, and manner of organized student events.

⁶ *Id.*

12. PSC continued to organize disruptive and violent protests anyway, despite being temporarily suspended. On April 29, 2024, protestors at a PSC protest:

Chained tables together at the start of the protest.⁷



⁷ Aaron E Martinez & Jay Janner. “‘Whose lawn? Our lawn!’ Photos from Pro-Palestinian encampment protest held on UT campus,” AUSTIN AMERICAN STATESMAN (April 29, 2024), <https://www.statesman.com/picture-gallery/news/2024/04/29/ut-austin-protest-arrest-pro-palestinian-encampment-protests-photos/73454096007>.

The protestors also built encampments to block access to classes for an extended period. Protestors formed a human chain in order to block university officials and law enforcement from accessing and removing the encampment⁸



⁸ *Id.*

13. Acting to protect Jewish students, university officials told us to leave because it was not safe as masked protesters began to say “we don’t want Zionists on campus,” “we don’t want Jews on campus,” and “from the river to the sea, Palestine will be free.” I stuck around to see what would happen next.

14. The university brought in law enforcement officers who attempted to clear the dangerous encampment, but the protest became louder. Ultimately, PSC protestors refused to leave, and protesters actively resisted orders from law enforcement officers, resulting in the limited deployment of flash bangs and pepper spray. As the situation began to deteriorate, I left for my own safety.

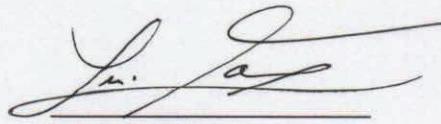
15. Were it not for university officials’ work to ensure the safety of Jewish students at the University of Texas at Austin through working actively to mitigate the effects of disruptive and occasionally violent protests, I believe that PSC would continue to target Jewish students and hamper the University’s academic programming. I feel safer on campus as a Jewish student because of the actions of the university.

16. I feel that the university acted reasonably in light of what it knew to prevent harassment by protestors, as well as any accompanying violence. Often, the university had to react to a quickly evolving situation, but still the university took reasonable steps to respond to antisemitic conduct and prevent the creation of a severe, pervasive, and objectively offensive discriminatory environment.

17. All of the factual statements contained within this declaration are within my personal knowledge and are true and correct.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed on the 18th day of August 2024.



LEVI FOX

Exhibit A

**RECLAIM OUR SPACE ON
WED APR 24TH**



CLASS IS CANCELLED

**11:40 WALK OUT OF CLASS
MEET AT GREG PLAZA
MARCH TO OCCUPY THE LAWN**

**BRING BLANKETS, FOOD,
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